




STATE OF TENNESSEE  
DEPARTMENT OF FINANCE AND ADMINISTRATION  
DIVISION OF MENTAL RETARDATION SERVICES  
ANDREW JACKSON BUILDING, 15<sup>TH</sup> FLOOR  
500 DEADERICK STREET  
NASHVILLE, TENNESSEE 37243  
May 3, 2005

MEMORANDUM

TO: DMRS Residential and Day Service Agencies  
Therapy, Nursing and Behavior Services Providers

FROM: Stephen H. Norris   
Deputy Commissioner  
Division of Mental Retardation Services

SUBJECT: Access to Therapy, Nursing and Behavior Services

Recently there have been questions raised whether residential and day services providers must permit therapists, nurses and behavior services providers to have access to service recipients at the residential or day services sites.

While the Division acknowledges that there are business issues that require cooperation among the providers, there are requirements and principles that are basic elements for provider participation in the Medicaid waiver program.

1. **The Division must assure CMS that each individual has freedom to choose providers for any waiver service.** This means that a provider of one service may not restrict in any way an individual's choice of another provider. For example, the residential or day service provider may not deny the individual access to a therapy, nursing or behavior service by refusing to allow these providers (referred to collectively as "clinicians" from here forward) into the residential or day service site. It also means that a services provider may not make acceptance into one of its services contingent upon acceptance of another one of its services. For example, a residential provider may not make acceptance into a residential service contingent upon the individual also choosing that provider for his therapy services.

**2. Services must be delivered with the needs and convenience of the service recipient in mind.**

In every service provided, the scheduling and provision of the service must be designed around the needs and convenience of the individual. While this sometimes results in difficulty for the providers, it is a basic premise for our services.

**3. The individual's adaptive skills, functioning and independence must be nourished to the maximum extent possible. Therefore, therapeutic services must be rendered in an appropriate environment for optimum benefit, maintenance and improvement.**

Clinical services are necessary so that the individual can better function in that individual's chosen environment. Because all those services are primarily consultative and are required to be integrated into the individual's daily life, the clinicians must work with the individual and that individual's support staff where that individual lives.

The Provider Manual describes the roles and responsibilities related to clinical services of both the clinician and the residential or day service provider. Please refer to that document. In May and June we will be conduct workshops in the regions to discuss issues concerning the coordination and integration of residential and day services with clinical services. If you have specific questions about this memo or this topic prior to that time, please contact Donna Allen at (615) 532-6540 or by e-mail at [donna.allen@state.tn.us](mailto:donna.allen@state.tn.us)

Thank you for your usual cooperation and hard work on behalf of the people we all serve.

SHN/dra

Cc: ISC Agency Directors  
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